

## REMARKS

Claims 1, 10-13, 15, 16 and 29-32 are in the present application, claims 1 and 13 having been amended, non-elected claims 6-9 and 17-28 having been canceled to reduce outstanding issues. Reconsideration in view of the following remarks is kindly requested.

### 35 U.S.C. §112 Rejections

The Examiner rejects all pending claims under the second paragraph of 35 USC 112 as being vague and indefinite. By this Amendment, Applicants have amended claims 1 and 13 in an effort to clarify the recited invention for the Examiner.

Claims 1 and 13 recite the removing step being performed after a patterning step (claim 1) or depositing step (claim 13). Support for this may be found in FIG. 2, FIG. 4 and the discussion beginning on page 4, line 23 to page 8, line 19. In particular, Steps S5/S6 are the deposition/patterning of the second metal film. See for example page 6, lines 10-15:

This second metal film is patterned and etched with the lithographic process described above (Step S6). Once the photo resist is removed, the structure of the acoustic resonator device is almost complete. Although at this point the device functions as a TFR, there are further advantages to performing the steps described below. (underlining for emphasis)

FIG. 4 and the supporting disclosure describing Step S7 (page 6, line 16 to page 8, line 19) provides support for the removing step. The Examiner is kindly requested to refer to these sections, which help explain how the device, which is essentially a “complete” acoustic resonator device after Step S6, is subject to the removing step “by a selective etching process to limit lateral propagation losses to un-etched regions of the formed acoustic resonator device” after the patterning step (claim 1) or deposition step (claim 13).

As illustrated in Fig. 6B, after selective etching, the TFR device 300 exhibits well-defined boundaries, confining the acoustic energy to the three resonator regions. Thus, performing the removing step after the patterning or depositing of the second metal film (e.g., after device fabrication Step S6) provides isolation that may

limit the degradation of acoustic resonator device performance due to lateral loss of acoustic energy and/or disruption caused by acoustic interference between neighboring devices.

Applicants submit that the claims, as amended, overcome the Examiner's allegation of indefiniteness. However, Applicants welcome any further suggestions the Examiner might have with regard to the claim language, to help place the claims in a form acceptable to the Examiner.

### **Previously Presented Claims 29-32**

Claims 29-32 were previously added in an effort to provide further protection for Applicants invention. Claims 29-32 are allowable for the further features recited therein.

### **CONCLUSION**

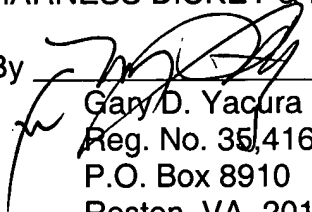
In view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1, 10-13, 15, 16 and 29-32 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the number below. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS DICKEY & PIERCE, P.L.C.

By

  
Gary D. Yacura  
Reg. No. 35,416  
P.O. Box 8910  
Reston, VA 20195  
(703) 668-8000

45,274

GDY/MJL/cng